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By Law 98-105
Parking By-Law

This Consolidation of the By-law is prepared for convenience only, for accurate reference please, check the original By-law.

THE CITY OF HAMILTON

BY-LAW NO. 98- *110*

RESPECTING:

THE CONSTRUCTION, MAINTENANCE, OPERATION, MANAGEMENT AND REGULATION OF MUNICIPAL PARKING FACILITIES

WHEREAS Sub-section 56 of Section 207 of the Municipal Act, R.S.O. 1990, c. M.45, as amended, confers upon the councils of all municipalities the authority to acquire, establish, lay out and improve land, buildings, and structures where vehicles may be parked, and for erecting buildings or structures for, or in connection with, the parking of vehicles;

AND WHEREAS Sub-section 56 of Section 207 of the Municipal Act, as amended, further provides for the regulation, supervision and governing of the parking of vehicles on land so acquired, established, laid out and improved;

AND WHEREAS Sub-Section 57 of Section 207 of the Municipal Act, as amended, provides for the assumption, by the municipality, of the undertakings, documents, assets and liabilities of the parking authority which has ceased to exist subsequent to the repeal of the by-law establishing the said parking authority;

AND WHEREAS the Council of the Corporation of the City of Hamilton, in adopting Item **12** of the **SEVENTH** Report of the Finance and Administration Committee, at its meeting held on the 10th day of March, 1998, did resolve to repeal City of Hamilton By-law No. 8131 and thereby dissolve the Hamilton Parking Authority;

AND WHEREAS Paragraph (6) of Section 191 of the Municipal Act, as amended, confers upon the councils of every corporation the authority to pass by-laws providing for the use by the public of lands of which the corporation is the owner and for the regulation of such use and the protection of such lands;

AND WHEREAS the Council of the City of Hamilton, in adopting Item **34c** of the **SIXTH** Report of the Transport and Environment Committee, at its meeting held on the 14th day of April, 1998, did resolve to enact a By-law providing for the construction, maintenance, operation, management and regulation of municipal parking facilities;

NOW THEREFORE The Council of the City of Hamilton enacts as follows:

DEFINITIONS & INTERPRETATIONS

1. (1) In this By-law,

(a) "by-law enforcement officer" means any person so designated by a By-law of the City of Hamilton and includes a "parking control officer" and any officer of the City appointed for carrying out the provisions of this By-law;

(b) "car park" means an off-street parking facility under the jurisdiction, management, and control of the City of Hamilton and listed in Schedule 1 of this By-law;

(c) "city" means the Corporation of the City of Hamilton;

(d) "city council" means the Council of the Corporation of the City of Hamilton;

(e) "commissioner" means the Commissioner of Public Works and Traffic for the City of Hamilton;

(f) "Department of Public Works and Traffic" means the Department of Public Works and Traffic of the City of Hamilton;

(g) "dime" means a ten cent coin of lawful money of Canada or a ten-cent coin of the same approximate size, of lawful money of the United States of America;

(h) "dollar coin" means a one hundred cent coin of lawful money of Canada or the United States of America;

(i) "holiday" means and includes every

New Year's Day
Good Friday
Victoria Day
Canada Day
Labour Day
Thanksgiving Day
Christmas Day
Boxing Day

and any day established as a civic holiday by the City Council;

(j) "metered car park" means a car park where the payment of fees for the use of the parking space is controlled and regulated by the use of parking meters or other mechanical or electronic equipment;

(k) "nickel" means a five cent coin of lawful money of Canada or a five-cent coin of the same approximate size of lawful money of the United States of America;

(l) "park" or "parking" when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;

(m) "parking fees" means the fees established by the City Council from time to time for the parking of vehicles in car parks;

(n) "parking meter" means any automatic or other mechanical or electronic device, constructed and installed for the purpose of controlling and regulating the parking of any vehicle in an adjoining parking space by measuring the amount of time for which the payment of a fee has been made;

(o) "parking space" means that part of a car park the use of which is designated for the purpose of parking of a single vehicle;

(p) "police constable" means a police constable who is a member of the Hamilton-Wentworth Regional Police;

(q) "quarter" means a twenty five cent coin of lawful money of Canada or a twenty-five cent coin of the same approximate size, of lawful money of the United States of America;

(r) "stop" or "stopping" when prohibited, means the halting of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a constable or other police officer or of a traffic control sign or signal;

(s) "two dollar coin" means a two hundred cent coin of lawful money of Canada;

(t) "valid permit" means a permit issued by the Department of Public Works and Traffic and in force for the period for which the payment of fees has been made in advance for the car park for which it was issued;

(u) "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include the cars of electric or steam railways running only upon rails.

(2) In this By-law, during any period of the year when what is commonly known as Daylight Saving Time has been generally adopted in the City of Hamilton under any Act, by-law, resolution or proclamation, whether the same is effective in law or not, all references to time in this By-law shall be deemed to be references to such Daylight Saving Time.

(3) Should any section, sub-section, or provision of this By-law be repealed or declared by a competent Court of Law to be illegal, that said section, sub-section, or provision only shall be severed from the remainder of the By-law and the remainder shall continue to be valid and remain in force and effect.

(4) Schedule 1, attached to this by-law, is included in and shall be considered part of this by-law.

APPLICATION OF BY-LAW

2. (1) The provisions of this By-law apply to all municipal car parks listed in Schedule 1 of this By-law.

(2) Provisions requiring payment of parking fees, and prohibitions against using parking spaces in a metered car park while no paid-for and unexpired period of time is indicated on the adjacent parking meter or other device, shall apply only on those days and during such periods of time as are indicated on the meter or by signs erected on the car park.

ENFORCEMENT

3. It shall be the duty of members of the Hamilton-Wentworth Regional Police and those duly appointed By-law Enforcement Officers, generally to enforce the provisions of this By-law.

SIGNS AND TRAFFIC CONTROL DEVICES

4. It shall be the duty of the Commissioner of Public Works and Traffic to cause to be erected and maintained all parking meters and such other devices to regulate parking, and all signs and other traffic control devices required or authorized by this By-law, or as may be deemed by the Commissioner to be desirable, as such may be required from time to time to regulate the use of any car park, or to warn or guide traffic on any car park for the safety or convenience of the public.

LIABILITY FOR LOSS OF DAMAGE

5. The Commissioner shall cause suitable signs to be erected and maintained in prominent positions in all car parks, giving notice that the parking fees are for the use of parking spaces only and the City is not responsible for loss or damage of any kind whatsoever to any vehicle or its contents, however caused.

FEES AND PERMITS

6. (1) Any person utilizing a car parks listed in Schedule 1 of this By-law shall pay such fees or charges as are described in the aforesaid schedule.

(2) The City Council may from time to time establish, at its pleasure, such fees or charges as may be deemed necessary and appropriate for the use of any car park or any space or area within a car park.

(3) Notwithstanding subsection (1), the City Council reserves the right to waive or modify any fees or charges which may be applicable to the use of any car park.

(4) The Commissioner may cause to be issued permits authorizing the use of a car park, or an area or space within a car park, for any purpose, or exempting the permit holder from one or more of the regulations governing a car park and the fees or charges, if any, for the use of said permit shall be paid to the City at such time as is satisfactory to the Commissioner.

(5) Such permits as are issued under sub-section (4) remain the property of the City and may be revoked, recalled, or declared invalid and not in force or effect, at any time and without notice, by the Commissioner.

GENERAL PROHIBITIONS

7. (1) Except as provided in sub-section (2), no person shall in any car park where parking meters or such other devices as are constructed and installed to regulate parking on the basis elapsed time;

(a) park or stop any vehicle without depositing the parking fees in the adjacent parking meter and, after the deposit of each coin, turning the handle, if any, to an extent sufficient to cause the meter to register and display the amount of time paid for;

(b) park or stop any vehicle in any area of any car park where pre-paid ticket machines have been provided without first purchasing a ticket by depositing coins in accordance with the prescribed parking fees and displaying the ticket in the windshield on the driver's side of the vehicle and in clear view from the exterior of the vehicle;

(c) park or stop any vehicle in any area of any car park where receptacles have been provided for the pre-payment of parking fees without first depositing therein the prescribed parking fees;

(d) leave parked or stopped at any parking space, any vehicle, at any time when no paid-for and unexpired period of time is indicated on the adjacent meter, save and except in such cases where the said parking meter is out of order or has been removed for repairs;

(e) leave parked or stopped at any parking space, any vehicle, at any time in the instance where the adjacent parking meter is out of order, or has been removed for repairs, for a period of time in excess of the maximum allowable amount of time as is indicated upon the said parking meter, or upon such other parking meters as are located in the car park;

(f) deposit in any parking meter, pre-paid ticket machine, or parking fee receptacle, anything save nickels, dimes, quarters, dollar coins, or two dollar coins; or,

(g) open or attempt to open a parking meter unless authorized to do so.

(2) A vehicle may be parked, left parked, or stopped, in a car park without depositing a coin or coins in an adjacent parking meter, pre-paid ticket machine or receptacle provided for the pre-payment of parking fees:

(a) for a period of time, if any, which is paid for and unexpired as shown on the adjacent parking meter;

(b) where there is displayed in or upon the vehicle a valid permit issued by the Department of Public Works and Traffic for use on the car park on which the vehicle is parked;

(c) where a parking meter, pre-paid ticket machine, or such other device as has been installed for the acceptance of the payment of parking fees has been activated, and the prescribed fees paid, by the use of a valid credit card, debit card, or smart card, in those lots where such devices accepting payment by such methods have been approved by the Department of Public Works and Traffic; or,

(d) where there is displayed in or upon the vehicle and in clear view from the exterior of the vehicle, a Disabled Person Parking Permit, or such other identifying marker, issued by the Minister of Transportation, clearly identifying the vehicle as being operated by, or in the service of, or on behalf of, a physically disabled person.

(3) No person shall in any car park;

(a) drive, park or have any vehicle other than an ordinary passenger automobile, a motor cycle, or a commercial motor vehicle of a registered gross weight of not more than 2.5 metric tonnes, save and except that this prohibition shall not apply to a snow plough, bus or other vehicle which is present by authority of the Department of Public Works and Traffic;

(b) park or stop any vehicle in such a manner as to interfere with the lawful use of any parking space or any other portion of the car park;

(c) park any vehicle except at a designated parking space and in conformity with signs and markings;

(d) park or stop any vehicle in any parking space or parking area which is temporarily closed;

(e) throw or deposit or cause to be thrown or deposited any glass, nails, tacks or scraps of metal, or any rubbish, refuse, waste or litter;

(f) drive any vehicle at a rate of speed greater than is consistent with the safety of persons and property in the vicinity, having regard to all the circumstances, or in any event at a rate of speed greater than ten kilometres per hour;

(g) drive any vehicle without due care or attention or without reasonable consideration for other persons in the car park;

(h) damage, deface or interfere with any equipment or other property of the municipality;

(i) loiter, or in any way interfere with the lawful use of the car park by any other person;

(j) fail to pay the parking fees when due;

(k) leave any vehicle parked on any car park between the hours of 3:00 a.m. and 6:00 a.m., save and except that this provision shall not apply to a vehicle in or upon which a valid permit is displayed or which has been otherwise authorized;

(l) park any vehicle in any area of any car park where signs have been erected prohibiting parking;

(m) stop any vehicle in any area of any car park where signs have been erected prohibiting stopping;

(n) park or stop any vehicle in any parking space or area in any car park where signs have been erected reserving such space or area for use by specific vehicles or persons;

(o) park or stop any vehicle in any parking space designated as a reserved Disabled Person parking space;

(p) play or take part in any game or sport, or ride in or upon any skateboard, coaster, skiis, toy vehicle, roller-skates or similar devices;

(q) place, erect, install, maintain, display, or store, or cause to be placed, erected, installed, maintained, displayed, or stored, any sign, device, apparatus, object or thing without the authorization of the Commissioner;

(r) wash down or, except in an emergency, perform any automotive services or repairs on a vehicle; or,

(s) park or allow any vehicle to stand unattended, unless it is secured in such a manner as to prevent its operation by any person not authorized by the owner of the vehicle;

(4) Without limiting the generality of paragraph (e) of sub-section 3, no person shall injure, incumber, obstruct or foul, any car park, or any area or space within or upon a car park by placing, storing, discarding, or leaving in any manner, or by causing to be placed, stored, discarded or left in any manner, any material, item, debris, marking, substance or thing in or upon the car park, or in or upon any area or space within the car park.

(5) Every person in any car park shall comply with the instructions of an attendant in charge of the car park, a by-law enforcement officer or a police constable.

VOLUNTARY PAYMENT OF PENALTIES OUT OF COURT - TAGS

8. (1) Upon the alleged contravention of any provision of this By-law respecting parking or stopping, the police constable or parking control officer observing the same may attach to the vehicle a serially numbered parking tag bearing the licence number and a general description of the vehicle and specifying the alleged contravention.

(2) Any person may, upon presentation of the tag to the City Treasurer, within seven days of the date of the tag, pay a penalty out of court in respect to the offense in accordance with sub-sections (4), (5), (6), (7), (8), (9) and (10).

(3) Where a tag is not paid within seven days in accordance with sub-section (2), sub-section (1) of Section 12 shall apply.

(4) Where any vehicle is left parked in any metered parking space for a period of time during which no paid-for and no unexpired time is indicated on the meter, the penalty for such parking;

(a) during the first such period or portion thereof that would otherwise be permitted if paid-for and unexpired time were indicated on the meter shall be eight dollars; and,

(b) during each successive period or a portion thereof that would otherwise be permitted if paid-for and unexpired time were indicated on the meter, shall be eight dollars and each succeeding period shall be a separate offense.

(5) Where any vehicle is left parked in contravention of any of the provisions of paragraphs (a) of sub-section (1) of Section 7, the penalty for such contravention shall be eight dollars.

(6) Where any vehicle is parked in any area on any car park where signs have been erected prohibiting parking, the penalty for such parking shall be twenty dollars.

(7) Where any vehicle is stopped in any area on any car park where signs have been erected prohibiting stopping, the penalty for such stopping shall be fifty dollars.

(8) Where any vehicle is left parked in contravention of any of the provisions of paragraphs (b), (c) or (e) of sub-section 1 of Section 7, the penalty shall be eight dollars; and,

(a) where any vehicle is left parked in contravention of the provisions of paragraph (b) of sub-section (1) of Section 7, for a period of time in excess of five hours, the leaving of such vehicle so parked is a separate offense upon the elapse of each subsequent five hour period; and,

(b) where any vehicle is left parked in contravention of the provisions of paragraph (c) of sub-section (1) of Section 7, for a period of time in excess of three hours, the leaving of such vehicle so parked is a separate offense upon the elapse of each subsequent three hour period.

(c) where any vehicle is left parked in contravention of the provisions of paragraph (e) of sub-section (1) of Section 7, for a period of time in excess of the time limit indicated on the adjoining meter or such other meters as are located within the subject car park, the leaving of such vehicle so parked is a separate offense upon the elapse of each subsequent indicated time limit.

(9) Where a vehicle is left parked in contravention of paragraphs (a), (b), (c), (d), (k) or (n), of sub-section 3 of Section 7, the penalty shall be twenty dollars.

(10) Where a vehicle is left parked in contravention of paragraph (o) of sub-section 3 of Section 7, the penalty shall be one hundred dollars.

AUTHORITY TO REMOVE, DISPOSE AND RECOVER COSTS

9. (1) Upon the discovery of any vehicle parked or left in contravention of this By-law, a police constable, or by-law enforcement officer may cause the vehicle to be moved or taken to and placed or stored in a suitable place, and all costs and charges for the removal and storage of the vehicle are a lien upon the vehicle under the provisions of the Repair and Storage Liens Act, R.S.O. 1990, c. R.25, as amended, or such successor legislation as may from time to time be enacted or come into force and effect.

(2) Upon the discovery of any sign, device, apparatus, object or thing placed, erected, installed, maintained, displayed, stored, or otherwise left in or upon any car park, without the authorization of the Commissioner, a police constable or municipal by-law enforcement officer may, without notice, cause the sign, device, apparatus or thing to be removed from the car park and may cause it to be taken and destroyed or otherwise disposed of and all costs and charges for its removal and disposal, however incurred, may, at the discretion of the Commissioner, be recovered from the owner thereof by action.

(3) Upon the discovery of any glass, nails, tacks or scraps of metal, or any rubbish, refuse, waste litter, marking, material, item, debris, substance or thing in or upon a car park, or in or upon any area or space within a car park, an employee of the Department of Public Works and Traffic may, without notice, cause such glass, nails, tacks or scraps of metal, rubbish, refuse, waste, litter, marking, object, material, item, debris, substance or thing to be removed from the car park and may cause it to be taken and destroyed or otherwise disposed of; and all costs and charges for its removal and disposal, however incurred, may, at the discretion of the Commissioner, be recovered from the owner thereof by action.

(4) The City is under no obligation to store or in any manner save, preserve or maintain, any sign, device, apparatus, object, material, substance, item or any thing that is not a vehicle, that has been removed or taken from any car park.

DUTY OF TREASURER

10. It shall be the duty of the City Treasurer to furnish the City Auditors with duplicates of all parking tags, particulars of the disposition of all payments made, and all other necessary particulars.

COLLECTION FROM PARKING METERS

11. The collection of coins from parking meters in metered parking lots shall be the responsibility of the Department of Public Works and Traffic.

OFFENCE

12. (1) The owner of a vehicle that is parked, stopped or left standing in contravention of this By-law is guilty of an offense and is liable to such penalty as is specified in Section 61 of the Provincial Offences Act, R.S.O. 1990, c. P.33., unless the owner proves to the satisfaction of the Court that at the time of the offence the vehicle was in the possession of another person without the owner's expressed or implied consent.

(2) Any person who violates any other provision of this By-law is guilty of an offense and is liable to such penalty as is specified in Section 61 of the Provincial Offences Act, R.S.O. 1990, c. P.33.

ENACTMENT

13. The short title of this By-law shall be the "Municipal Parking Facilities By-law".

14. This By-law shall come into force and effect on the day of its passing and enactment.

PASSED this 14th day of April, A.D. 1998

City Clerk

Mayor

to By-law 98-110

SCHEDULE 1

LOT #	LOCATION	HOURLY FEE	MINIMUM FEE	MAXIMUM FEE	MONTHLY FEE
1	76 John Street North	$ 1.00	$ 0.50	$ 2.00	$ 40.00
2A	11 Britannia Street	$ 0.80	$ 0.25	NONE	$ 31.50
2B	115 Campbell Avenue	$ 0.80	$ 0.25	NONE	$ 31.50
2C	116 Campbell Avenue	$ 0.80	$ 0.25	NONE	$ 31.50
4	70 Hope Avenue	$ 0.50	$ 0.25	NONE	$ 31.50
5	140 King William Street	$ 1.60	$ 0.50	$ 2.00	$ 40.00
7	171 Main Street	$ 1.10	$ 0.50	NONE	$ 50.00
8	293-297 King Street	$ 1.10	$ 0.55	$ 4.00	$ 50.00
	12 Jarvis Street	$ 1.10	$ 0.25	NONE	$ 50.00
9A	583 Upper Wellington Street	$ 0.50	$ 0.25	NONE	$ 31.50
9B	584 Upper Wellington Street	$ 0.50	$ 0.25	NONE	$ 31.50
11	1457 Main Street	$ 0.50	$ 0.25	NONE	N/A
12A	153 Sherman Avenue	$ 0.55	$ 0.55	NONE	$ 31.50
12C	90 Kinrade	$ 0.50	$ 0.25	NONE	$ 31.50
13	76 James Street North	$ 1.10	$ 0.55	NONE	N/A
16	53 Balmoral Avenue	$ 0.80	$ 0.30	$ 3.20	$ 31.50
17	1358 Main Street East	$ 0.50	$ 0.25	NONE	N/A
19	Main at Ottawa	$ 0.50	$ 0.25	NONE	$ 31.50
20	552 Upper James Street	$ 0.50	$ 0.25	NONE	$ 31.50
21	1375 Main Street East	$ 0.50	$ 0.25	NONE	$ 31.50
22	451 King Street West	$ 0.50	$ 0.25	NONE	$ 31.50
29	Mary at Wilson	N/A	N/A	N/A	$ 25.00
32	East Avenue	$ 0.50	$ 0.50	$ 2.00	$ 31.50
33	15 Brucedale Avenue	$ 0.60	$ 0.25	NONE	$ 31.50
34	1503 Main Street	$ 0.50	$ 0.25	NONE	$ 31.50
35	8 East 21st Street	$ 0.50	$ 0.25	NONE	$ 31.50
36	22 Mulberry Street	$ 0.80	$ 0.60	$ 3.20	$ 43.70
37	80 Main Street West	$ 2.50	$ 1.25	$ 7.50	$ 96.36
	(Convention Centre) *Evening Rate	$ 4.25	N/A	N/A	N/A
39B	299 Balmoral Avenue	$ 0.50	$ 0.25	NONE	$ 31.50
39C	302 Balmoral Avenue	$ 0.50	$ 0.25	NONE	$ 31.50
39D	309 Grosvenor Avenue	$ 0.50	$ 0.25	NONE	$ 31.50
40	71 Main Street W. (City Hall)	$ 1.10	$ 0.30	NONE	$ 45.30
42	625 Wilson Street	$ 0.55	$ 0.55	$ 2.20	$ 31.50
43	36 Newlands/268 Kenilworth	$ 0.50	$ 0.25	NONE	$ 31.50
44	346 Barton Street	$ 0.50	$ 0.25	NONE	$ 31.50
45	540 Barton Street East	$ 0.50	$ 0.25	NONE	$ 31.50
46	14 Cheever/11 William	$ 0.50	$ 0.25	NONE	$ 31.50
47	735 Barton Street East	$ 0.50	$ 0.50	$ 2.00	$ 31.50
49	167 Barton Street East	$ 0.50	$ 0.25	NONE	$ 31.50
50	Cannon at Birch	N/A	N/A	N/A	$ 18.55
56	30 Emerald Street South	$ 0.80	$ 0.30	NONE	$ 31.50
62	14 Vine Street	$ 1.00	$ 1.00	$ 2.50	$ 51.30
64	168 Sherman Avenue North	$ 0.50	$ 0.25	NONE	$ 31.50
66	106 Bay Street North	$ 3.00	$ 3.00	$ 3.00	$ 30.00
67	80 Queen Street	$ 0.80	$ 0.80	$ 2.25	$ 47.00
68	28 York Boulevard	$ 2.50	$ 1.25	$ 5.00	$ 69.49
69	12 York Boulevard (Parkette)	$ 1.10	$ 0.55	NONE	N/A
70	207-211 Hughson Street N.	$ 0.80	$ 0.60	$ 3.20	$ 31.50
71	77 Mary Street North	N/A	N/A	N/A	$ 25.00
72	11-13 East Avenue	$ 0.55	$ 0.55	NONE	$ 31.50
73	253 King William Street	$ 0.80	$ 0.55	NONE	$ 40.00
74	263 King Street West	$ 0.80	$ 0.80	NONE	$ 50.00
76	75 Catharine Street	$ 0.80	$ 0.80	$ 2.50	$ 40.00
78	190 King William Street	$ 1.00	$ 0.25	NONE	$ 31.50
79	402 Barton Street East	$ 0.60	$ 0.25	NONE	$ 31.50
80	22 Bay St.S./191 King St.W.	$ 1.50	$ 0.75	$ 4.00	$ 69.49
81	11 Ferguson Avenue North	$ 1.00	$ 0.25	NONE	$ 50.80
82	294 Victoria Avenue North	$ 2.00	$ 0.50	$ 6.00	N/A
	*Evening Flatt Rate (6 am - 6 pm)	$ 2.00	N/A	N/A	N/A
	*Sat & Sun Flatt Rate	$ 3.00	N/A	N/A	N/A
84	East side Kenilworth, North of Roxborough	$ 0.55	$ 0.55	$ 2.20	$ 31.50

Bill No D-21

The Corporation of the City of Hamilton

By-law No. 98- 105

To Repeal By-law No. 8131

Respecting:

THE PARKING AUTHORITY OF THE CITY OF HAMILTON

WHEREAS Section 207 of the Municipal Act, R.S.O. 1990, Chapter M.45 authorizes a Municipality to create a Municipal Parking Authority;

AND WHEREAS The Parking Authority of the City of Hamilton was created by By-law No. 8131;

AND WHEREAS Council, on March 10, 1998, in adopting Section 12 of the 7th Report of the Finance and Administration Committee, authorized that By-law No. 8131 be repealed.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 8131 is hereby repealed.

2. This By-law becomes effective on March 31, 1998.

PASSED this 31st day of March 1998.

CITY CLERK

MAYOR

Bill No. A-32

THE CITY OF HAMILTON

BY-LAW NO. 99-099

TO AMMEND BY-LAW NO. 98-110

RESPECTING:

THE CONSTRUCTION, MAINTENANCE, OPERATION,MANAGEMENT AND REGULATION OF MUNICIPAL PARKING FACILITIES

WHEREAS Sub-section 56 of Section 207 of the Municipal Act, R.S.O. 1990, c. M.45, as amended, confers upon the councils of all municipalities the authority to acquire, establish, lay out and improve land, buildings, and structures where vehicles may be parked, and for erecting buildings or structures for, or in connection with, the parking of vehicles;

AND WHEREAS Sub-section 56 of Section 207 of the Municipal Act, as amended, further provides for the regulation, supervision and governing of the parking of vehicles on land so acquired, established, laid out and improved;

AND WHEREAS Paragraph (6) of Section 191 of the Municipal Act, as amended, confers upon the councils of every corporation the authority to pass by-laws providing for the use by the public of lands of which the corporation is the owner and for the regulation of such use and the protection of such lands;

AND WHEREAS the Council of the City of Hamilton, at its meeting held on the 14th day of April, A.D. 1998, did enact By-law No. 98-110, providing for the construction, maintenance, operation, management and regulation of municipal parking facilities;

AND WHEREAS the Council of the City of Hamilton deems it necessary and appropriate to amend By-law 98-110;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That By-law 98-110, as amended, be further amended by repealing sub-section (a) of Section 1, in its entirety, and by substituting therefor the following sub-section:

   "(a) "by-law enforcement officer" includes any person so designated by a By-law of the City of Hamilton, any parking control officer and any officer of the City appointed for the purpose of carrying out the provisions of this By-law"

2. That By-law 98-110, as amended, be further amended by repealing sub-section (m) of Section 1, in its entirety, and by substituting therefor the following sub-section:

   "(m) "parking fees" means the fees established from time to time, by the City Council, or the General Manager of Transportation, Operations and Environment, or his or her designate, for the parking of a vehicle in a car park."

That By-law 98-110, as amended, be further amended by striking out the word "parks" in sub-section (1) of Section 6 thereof and by substituting therefor the word "park".

4. That By-law 98-110, as amended, be further amended by adding to Section 6 thereof the following sub-section:

"(6) The General Manager of Transportation, Operations and Environment, or his or her designate, shall establish such parking fees or charges as may be deemed necessary and appropriate for the use of any car park, or any space or area within a car park, and shall adjust or revise such rates from time to time as such adjustment or revision becomes necessary and appropriate.

5. That **Schedule 1** of By-law 89-110 is hereby amended by adding thereto the following items, namely:-

"1	76 John Street North	$ 1.00	$ 0.50	$ 2.50	$ 40.00
80	22 Bay St. S./119 King St. W.	$ 1.50	$ 0.75	$ 5.00	$ 69.49"

and by deleting therefrom the following item, namely:-

"1	76 John Street North	$ 1.00	$ 0.50	$ 2.00	$ 40.00
80	22 Bay St. S./119 King St. W.	$ 1.50	$ 0.75	$ 4.00	$ 69.49"

6. In all other respects, By-law 98-110 and the Schedule attached thereto is hereby confirmed unchanged.

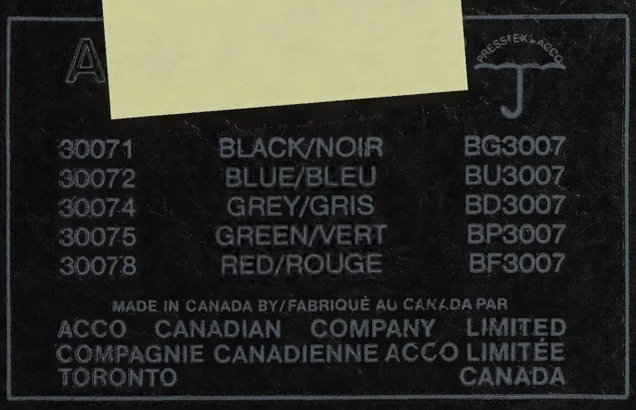
7. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 6th day of July , A.D. 1999

Municipal Clerk

Mayor

FEB 07 2007



30071	BLACK/NOIR	BG3007
30072	BLUE/BLEU	BU3007
30074	GREY/GRIS	BD3007
30075	GREEN/VERT	BP3007
30078	RED/ROUGE	BF3007

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